



NEWS RELEASE

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FEBRUARY 17, 2006
FOR IMMEDIATE RELEASE

JURY CONVICTS FLORIDA MAN IN FAKE LIPITOR CONSPIRACY

KANSAS CITY, Mo. – Todd P. Graves, United States Attorney for the Western District of Missouri, announced that a Florida man was convicted by a federal jury today of participating in a multi-million dollar conspiracy to sell counterfeit, illegally imported and misbranded Lipitor and other drugs.

Iggy Santisteban, 51, of Miami, Fla., was found guilty of conspiracy to sell counterfeit, misbranded, and illegally imported drugs and to impede, impair, obstruct, and defeat the lawful governmental functions of the U.S. Food and Drug Administration and the U.S. Customs Service.

“**Santisteban** was a small, but important, cog in this machine,” Graves said. “His role was critical to the success of the whole criminal enterprise, which makes him just as culpable as those who played larger roles. We’re pleased that the jurors agree he should be held accountable for his contribution to the conspiracy.”

Between October and November 2002, Graves said, **Santisteban** printed counterfeit drug labels for Lipitor and other drugs. Those labels were placed on bottles containing counterfeit, illegally imported, and diverted tablets, which were distributed throughout the United States. **Santisteban** sub-contracted with other Miami-area printers for some of the labels, Graves added. His own printing company, Iggy Prints, went bankrupt in March 2003.

“**Santisteban** was paid more than \$38,000 to have these counterfeit labels printed,” Graves said. “He tried to conceal the nature of those payments by having his checks deposited in another company’s bank account, then transferring those payments through several layers of bank accounts before withdrawing the money himself.”

Following the presentation of evidence in the **Santisteban** trial, the jury in U.S. District Court in Kansas City deliberated about 10 hours before returning the guilty verdicts to U.S.

District Judge Ortrie D. Smith, ending a trial that began Feb. 13, 2006.

Santisteban was involved in a larger conspiracy to purchase and sell counterfeit, misbranded, and illegally imported drugs from February 2002 until at least April 2003. Co-conspirators, with the intent to defraud and mislead, caused the manufacture, importation, labeling, and repackaging of certain drugs, caused the misbranding and counterfeiting of certain drugs, and sold certain misbranded and counterfeited drugs.

“This was a two-pronged conspiracy,” Graves explained. “First, co-conspirators purchased genuine Lipitor and Celebrex that was intended for distribution in South America, and illegally imported it into the United States.” Graves explained that this is known as diversion.

“Second,” Graves said, “co-conspirators bought chemicals and equipment, which they shipped to Costa Rica to manufacture counterfeit Lipitor. The counterfeit Lipitor was then illegally imported into the United States.”

Besides the counterfeit drug labels purchased from **Santisteban**, Graves said, this included punches and dies purchased from a St. Louis, Mo.-area company.

Co-conspirators commingled the illegally imported Lipitor with the counterfeit Lipitor, Graves added, and sold it in the United States. This was accomplished by, among other things, making false and fraudulent representations to the U.S. Customs Service. Co-conspirators also created false pedigrees for the drugs. Graves explained that, under federal law, wholesalers must furnish their buyers with a written statement identifying the persons and entities from whom the drug was purchased. Within the wholesale drug industry, this written statement is referred to as a pedigree.

Under federal statutes, **Santisteban** could be subject to a sentence of up to five years in federal prison without parole, plus a fine up to \$250,000 and an order of restitution. A sentencing hearing will be scheduled after the completion of a presentence investigation by the United States Probation Office.

This case is being prosecuted by Senior Litigation Counsel Gene Porter. It was investigated by the Office of Criminal Investigations, U.S. Food and Drug Administration.

This news release, as well as additional information about the office of the United States Attorney for the Western District of Missouri, is available on-line at
www.usdoj.gov/usao/mow/index.html